



PATENT

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS: Dan Meisburger, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, Kirkwood Rough

APPLICATION NO.: 10/801,362

FILING DATE: March 15, 2004

TITLE: Inspecting Optical Masks With Electron Beam Microscopy

EXAMINER: Unknown

GROUP ART UNIT: 1756

ATTY. DKT. NO.: 22120-08965

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: September 17, 2004

By: Laura Majerus  
Laura A. Majerus, Reg. No. 33,417

MAIL STOP MISSING PARTS  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated August 4, 2004, received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☐ an original, signed Declaration;
- ☐ an original, signed Power of Attorney;

☒ a copy of the Preliminary Amendment filed in this application on March 15, 2000, together with a copy of printed U.S. Patent No. 5,717,204 (double-column format, one sided on each sheet of paper) which was the basis for reissue application 09/502,534 for which this application is a continuation;

☒ payment in the amount of \$ 130.00 for the

☐ application filing fee;

☐ fee for additional claims; and

☒ missing parts surcharge.

☒ Other: On the executed Reissue Application Declaration by Inventors

("Declaration") submitted in application no. 09/502,534 (copy attached hereto) and resubmitted in this application, the addresses of the following 3 inventors were omitted from said executed Declaration, and are supplied herewith:

Paul Sandland – 85510 McCumber Road, Springfield, OR 97478

John Greene – 211 Ocean View Avenue, Santa Cruz, CA 95062

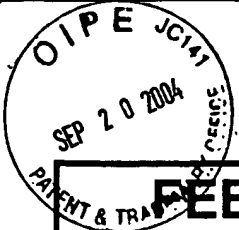
Kirkwood Rough – 264 South 14<sup>th</sup> Street, San Jose, CA 95112

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
DAN MEISBURGER, ET AL.

Dated: September 17, 2004

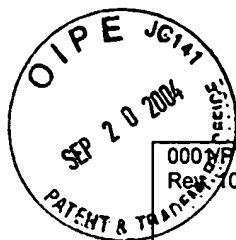
By: Laura Majerus  
Laura A. Majerus, Reg. No. 33,417  
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Silicon Valley Center  
801 California Street  
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FEE TRANSMITTAL for FY 2004		Complete if Known	
		Application Number	10/801,362
Patent fees are subject to annual revision. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 15, 2004
		First Named Inventor	Dan Meisburger
		Examiner Name	Unknown
		Art Unit	1756
TOTAL AMOUNT OF PAYMENT	\$ 130.00	Attorney Docket No.	22120-08965

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																																
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 19-2555 Deposit Account Name: Fenwick & West LLP The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="5">SUBTOTAL (3)</td><td>\$ 130.00</td></tr></tbody></table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			1051	130	2051	65	Surcharge - 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SUBMITTED BY			Complete (if applicable)	
Name (Print/Type)	Laura A. Majerus	Registration No. (Attorney/Agent)	33,417	Telephone: (650) 335-7152
Signature		Date	September 17, 2004	



+

0001 PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office	
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/801,362
		Filing Date	March 15, 2004
		First Named Inventor	Dan Meisburger
		Group Art Unit Number	1756
		Examiner Name	Unknown
Total Number of Pages in This Submission	66	Attorney Docket Number	22120-08965

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Copy of Declaration from 09/502,534 <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input checked="" type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment  <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request  <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Copy of Filing Receipt <input checked="" type="checkbox"/> Copy of Notice of Filing Missing Parts of Reissue Application <input checked="" type="checkbox"/> Copy of 1 <sup>st</sup> page of Preliminary Amendment <input checked="" type="checkbox"/> Copy of U.S. Patent 5,717,204 issued 2-10-1998 <input checked="" type="checkbox"/> Copy of New Utility Application Transmittal filed 3-15-2004 <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:	<i>Laura Majerus</i>		
Attorney/Reg. No.:	Laura A. Majerus, Reg. No. 33417	Dated:	September 17, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<i>Laura Majerus</i>		
Typed or Printed Name:	Laura A. Majerus	Dated:	September 17, 2004
Express Mail Mailing Number (optional):			



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,362	03/15/2004	Dan Meisburger	4765

Laura A. Majerus, Esq.  
 Fenwick & West LLP  
 Two Palo Alto Square  
 Palo Alto, CA 94306

**Fenwick & West**

AUG 16 2004

**Received**

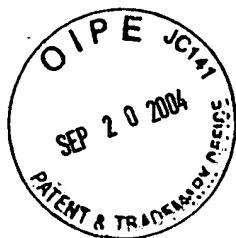
CONFIRMATION NO. 4849

FORMALITIES LETTER



\*OC000000013440775\*

Date Mailed: 08/04/2004



# NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

## Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The reissue specification has not been provided in the form of a copy of the printed patent. Each page should be in double-column format and on only one side of each sheet of paper, as is required by 37 CFR 1.173(a)(1).

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

**Nathaniel R. Haymon**

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE